IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No.17866 of 2007

Date of Decision:27.11.2007.

Amarjit Singh Sodhi and others

.... Petitioners.

Versus

Punjab State Electricity Board and others.

... Respondents.

CORAM : HON'BLE MR. JUSTICE S.S.SARON.
HON'BLE MR. JUSTICE AJAI LAMBA.

Present:- Mr.R.K.Joshi,Advocate
for the petitioners.

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S.S.SARON, J.(ORAL)

Petitioners by way of the present petition under Articles 226 and 227 of the Constitution of India pray for issuance of a writ in the nature of mandamus directing the respondents to pay interest at the rate of 18 % per annum for delayed payment of ex-gratia amount made to them for the period from July 1991 to May 2007. In respect of the said claim the petitioners have also submitted a legal notice dated 18.8.2007 (Annexure P-5).

The claim of the petitioners is that they were entitled to ex-gratia payment on the completion of Mukerian Hydel Project. The said ex-gratia payment was to be given to the petitioners in July 1991. However, the authorities of the Punjab State Electricity Board, Patiala (respondent No.1) with held the payment till May 2007.

Learned counsel for the petitioners places strong reliance on the full bench decision of this Court in the case of R.S.Randhawa v. State of

Punjab and others 1997 (3) RSJ 318, to contend that the claim for interest is maintainable by way of a writ petition under Article 226 of the Constitution of India.

After giving our thoughtful consideration to the matter and perusing the record, we leave the question of maintainability of the writ petition open. However, it would be just and expedient that the authorities of the respondent-Board take a decision on the legal notice dated 18.8.2007 (Annexure P5) that has been filed by the petitioners through their counsel.

Accordingly, the present petition is disposed of with the direction to the Punjab State Electricity Board, The Mall, Patiala through its Secretary-respondent No.1 to consider and dispose of the legal notice dated 18.8.2007 (Annexure P5) by passing a speaking and reasoned order as expeditiously as possible and preferably within three months from the receipt of copy of this order.

(S.S. SARON)
JUDGE

(AJAI LAMBA)
JUDGE

Nov.27,2007.
Reema